

## Exhibit 32

Francesco Gallo

12/19/2007

1	Gallo	162	1	Gallo	164
2	dinner?		2	very helpful, helpful to the organization. And as a	
3	A. No, we were in the office.		3	matter of fact, on more than one occasion, I asked	
4	Q. Did they make a special visit to you to		4	the help of Mr. Marco D'Ilario, who did his best to	
5	tell you this about Mariotti?		5	retain Mr. Gabriele not to be fired.	
6	A. No special visit. I was there with them		6	Q. So the answer you have is that you spoke	
7	because Mariotti had to be fired.		7	with Marco D'Ilario, who was able to prevent the	
8	Q. Mariotti had to be fired in 2003 and 2004?		8	firing of --	
9	A. Yes.		9	A. He was aware, as well, because in some	
10	Q. Who said he had to be fired?		10	meetings every morning he was there.	
11	A. Mr. Galli.		11	Q. He was aware --	
12	Q. Did Mr. Galli say why?		12	A. That they were after Mr. Mariotti.	
13	A. Didn't trust him.		13	Q. Did you tell them that it would be illegal	
14	Q. Sorry?		14	to fire Mr. Mariotti because he is gay?	
15	A. Did not trust him.		15	A. Yes, many times.	
16	Q. He didn't trust him, okay. Did he say		16	Q. Well, just talk about this one time.	
17	anything else?		17	A. Okay.	
18	A. He told me that he had a brother		18	Q. What did they say in response to that?	
19	homosexual and in Zurich, Germany, France, I don't		19	A. That they couldn't take it anymore for me	
20	know where.		20	to be telling them all the time, this cannot be	
21	Q. Who had a homosexual brother?		21	done, that cannot be done, they were very, very	
22	A. Gabriele Mariotti.		22	upset to my position that I used to take.	
23	Q. Mariotti had a gay brother?		23	Q. Did you tell Marco D'Ilario that it would	
24	A. And that was because he's an actor or		24	be illegal to fire Mariotti because he is gay?	
25	whatever.		25	A. Yes, we spoke about many things.	

  

1	Gallo	163	1	Gallo	165
2	Q. Did Mr. Galli say that he didn't trust		2	Q. And did Mr. Marco D'Ilario get upset?	
3	Mariotti because of Mariotti's brother?		3	A. No. As I said, Mr. Marco D'Ilario	
4	A. No.		4	intervened and helped the situation with Mr. Libutti	
5	Q. Did he say why he didn't trust Mariotti?		5	not to be fired.	
6	A. No.		6	Q. Mr. Libutti? I thought it was Mr. Galli.	
7	Q. Was Mariotti fired?		7	A. Both of them. Both of them.	
8	A. Was not, as far as I know, because I left		8	Q. Mr. Libutti said he didn't trust	
9	Mariotti at Alitalia when I was fired, but I believe		9	Mr. Mariotti either?	
10	that he resigned.		10	A. Yes, yes.	
11	Q. He resigned in 2006?		11	Q. You're sure?	
12	A. Right.		12	A. Positive, yes.	
13	Q. Okay. Why wasn't Mariotti fired in 2003		13	Q. And did Mr. Libutti say he wanted to fire	
14	or '4 when Galli told you that he didn't trust him		14	Mr. Mariotti because he is gay?	
15	and that he had to be fired?		15	A. Yes.	
16	A. Mr. Mariotti was not the only one that was		16	Q. He said that too?	
17	in the list of people to be fired.		17	A. Yes, not only, but there has been a time	
18	Q. Let's talk about Mariotti.		18	an anonymous letter was received -- well, forget it.	
19	A. Okay.		19	You ask me the question.	
20	Q. I asked about Mariotti.		20	Q. I'm asking a question about what Libutti	
21	A. Okay.		21	and Galli said in your meeting; Libutti said he	
22	Q. And some of the information you give is		22	wanted to fire Mariotti because he's gay?	
23	very helpful, but answer the question first.		23	A. Not just Mariotti, everyone.	
24	A. Okay. I did my best to make both of them		24	Q. He wanted to fire all the gay people?	
25	understand that Mariotti was a capable person and		25	A. Right, or lesbian.	

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12/19/2007

1	Gallo	166	1	Gallo	168
2	Q. Did he give you a list?		2	or she may have hairy legs; what did he say?	
3	A. He had a list.		3	A. Didn't like.	
4	Q. How do you know?		4	Q. He said he didn't like her?	
5	A. He was right in front of me, on a yellow		5	A. Right.	
6	pad.		6	Q. Why wasn't she fired, if you know?	
7	Q. It was a list of gay people and lesbians?		7	A. Because I raised hell.	
8	A. Yeah, people that had to be let go.		8	Q. You raised hell on behalf of Angela?	
9	Q. Because they were gay and lesbian?		9	A. Sure, not the only one.	
10	A. Because they were gay, lesbian, old,		10	Q. You raised hell on behalf of everybody on	
11	physical defect, you name it.		11	the list?	
12	Q. Well, you name it. Is that what he told		12	A. Almost, almost, some, yeah.	
13	you, I have a list here of people who are gay, old,		13	Q. Was anybody fired from that list that you	
14	have physical defects, you name it, and they're on		14	know of?	
15	my list; is that what he said?		15	A. There were seven, at least.	
16	A. That's what he wanted it. That's what he		16	Q. On that list, the list that Libutti	
17	told me was his plan.		17	supposedly showed you at this meeting in 2003 or	
18	Q. What did he say? Did he say we're going		18	2004 where you learned for the first time that	
19	to fire all the gay, old and physical-defect people?		19	Libutti thought and Galli thought that Mariotti was	
20	A. Yes, talking about some people.		20	gay, that meeting.	
21	Q. Some people or all?		21	A. Counsel, he was writing names, then he	
22	A. Some people with physical defect.		22	make a ball, discuss and throw out. So there are	
23	Q. What people with physical defects did		23	many, many things, depends on his mind, on a daily	
24	Mr. Libutti want to fire at this conversation in		24	mind, what was go through.	
25	2003 or 2004?		25	Q. Who got fired because they were gay, to	
1	Gallo	167	1	Gallo	169
2	A. One was Angela Ross.		2	your knowledge?	
3	Q. Mr. Libutti wanted to fire Angela Ross?		3	A. I don't remember.	
4	A. Oh, yes.		4	MR. SMITH: Just gay or perceived gay?	
5	Q. All right. Did you get Mr. D'Illario to		5	A. Gay, perceived gay, whatever.	
6	protect Angela Ross, as well?		6	Q. I'll get to perceived gay. All right. Do	
7	A. No.		7	you know of anybody who was fired because he was	
8	Q. Was she fired?		8	perceived to be gay?	
9	A. As long -- I don't think so, as long as I		9	A. Some people in Reservation Office.	
10	was there, she was not fired.		10	Q. Do you know the names of any of them?	
11	Q. What was her physical defect?		11	A. I don't remember.	
12	A. Well, he was criticizing because she was		12	Q. Did you approve those firings?	
13	wearing all the time pants. And he was saying, God		13	A. Maybe some of them, yes, maybe some of	
14	knows what kind of hair she must have on her legs.		14	them, yeah.	
15	Well, she's sick and she was sick and she is sick, I		15	Q. Do you remember the names of anybody you	
16	don't know.		16	approved to be fired because that person was gay or	
17	Q. Was she sick then?		17	perceived to be gay?	
18	A. She had cancer.		18	A. Yeah, I'm sure of one, but I don't	
19	Q. Do you know that?		19	remember the name, it is more than --	
20	A. I was at the hospital with her. What do		20	Q. Do you remember anybody who was fired	
21	you mean, do I know that?		21	because she was lesbian or perceived to be lesbian?	
22	Q. I'm asking then. Was she sick then?		22	A. I think so.	
23	A. Yes.		23	Q. Can you give me any names?	
24	Q. All right. And did he say I'll fire her		24	A. Probably some participated because the	
25	because she has cancer or because she has hairy legs		25	aim, the strategy, at least my strategy, was to try	

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Francesco Gallo

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1	Gallo	170	1	Gallo	172
2	to solve these problems with early retirement or		2	but again, this list, these lists, are prepared, and	
3	special packages.		3	even Angela knows are done for.	
4	When I left Alitalia, I had at least two		4	Q. When did you give Angela Ross lists?	
5	persons that I had to find a solution to fire		5	A. Many times.	
6	because the lesbian, and old, I don't know if then		6	Q. Okay, many times. When is the last time	
7	she was fired or not, I don't know.		7	you gave her a list of people to be fired?	
8	Q. What's the name of the employee you're		8	A. It was in conjunction to the last	
9	thinking of?		9	early-retirement plan that I proposed.	
10	A. That's what I am wondering.		10	Q. This was a list of people who were	
11	Q. You said you had a list, you said you had		11	eligible for early retirement?	
12	a list at the time you left Alitalia, a list of		12	A. Some of them. As a matter of fact, in	
13	people that you had to find solutions for.		13	order to have some people to reenter in the package,	
14	A. No, no, no, it was a list of people, you		14	we moved the age of the employees from 55 to 50, 53,	
15	know, that he gave me a series of names.		15	I don't remember.	
16	Q. Libutti gave you a list of names; is that		16	Q. Tell me when again, what was this list you	
17	what you're saying?		17	gave to Angela, you said it was in conjunction with	
18	A. Libutti gave me a list of names that had		18	the last early-retirement plan?	
19	to be terminated.		19	A. Yes.	
20	Q. When was that?		20	Q. Wasn't that in 2005?	
21	A. It was more than one occasion.		21	A. Yeah, but it took, whenever, 2005, we had	
22	Q. We will go to every one of those		22	three early retirement.	
23	occasions. You told me so far that Libutti kept		23	Q. We will talk about the early-retirement	
24	writing names down on a list and then rolling them		24	plans later. I'm talking about lists right now.	
25	up in a ball and throwing them away.		25	What did this list that you gave to Angela	
1	Gallo	171	1	Gallo	173
2	Did he ever give you a list in that		2	Ross consist of; what names were on the list?	
3	meeting in 2003 or 2004?		3	A. Actually, I requested Angela to prepare a	
4	A. No, but I wrote the list in my mind.		4	list and see if the people that Mr. Libutti and	
5	Q. Did he ever give you a list at some		5	Alitalia don't want anymore could be in the list of	
6	subsequent time?		6	those people. After analyzed, I give back the list	
7	A. Oh, yes, many times.		7	to Angela.	
8	Q. Yes, many times?		8	Q. This was a list of people who would be	
9	A. Yes.		9	eligible for early retirement, correct?	
10	Q. Where are those lists?		10	A. Yeah, but I did not know demographic. I	
11	A. Destroyed or passed over to, asked Angela		11	did not know if passing a preretirement package,	
12	or Linda in Personnel Department to create a list,		12	those people that desired to fire would have been	
13	but in order that they could not understand what		13	eligible or not, so I was forced to ask.	
14	actually wanted to read, utilizing an excuse how to		14	Q. Did you make any notations on the list	
15	prepare such a list.		15	Angela gave you?	
16	Q. Do you have any of those lists today?		16	A. On some of them, maybe.	
17	A. No, I don't have, as of today, I think		17	Q. Maybe, you just don't remember?	
18	that I gave to you everything that I had.		18	A. Maybe that I don't remember, right, but	
19	Q. Yes, we will get to that. I'm just asking		19	some probably.	
20	if you have any of those lists.		20	Q. I don't remember is all you have to say.	
21	A. As of today, no.		21	A. Right.	
22	Q. All right. Were any of those lists in the		22	Q. You don't remember whether you made	
23	boxes that you packed when you left Alitalia?		23	notations on the list. Did you discuss the list	
24	A. No, because those lists are being kept in		24	with Angela in any way?	
25	Personnel, personally given by me to Angela Ross,		25	A. Some of them.	

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1	Gallo	174	1	Gallo	176
2	Q. Some of them you discussed with Angela?		2	A. What elderly? I don't know to be elderly.	
3	A. Some of them, right.		3	What do you mean? What is old? What is the age?	
4	Q. Did you tell Angela that there were people		4	Q. I don't know what you mean. You're the	
5	on that list who Libutti wanted to fire?		5	one who used the word "older" all over your	
6	A. No, I would never say that to Angela.		6	complaint. You said he said I want to fire older	
7	Q. Did you say that to anybody?		7	people and that was --	
8	A. Absolutely not.		8	A. After 50, you know, already, maybe even 45	
9	Q. All right. How did you know which people		9	at Alitalia.	
10	Libutti wanted to fire?		10	Q. Seriously? Was she over 50?	
11	A. How did I know it? Because he asked me.		11	A. I believe so, yes.	
12	Q. Did he give you a list?		12	Q. Was he seriously calling her a whore?	
13	A. No.		13	MR. SMITH: All right.	
14	Q. What people did he ask you to fire?		14	Q. I'm not saying it's impossible to be whore	
15	A. Many.		15	over 50. I want to know, was that a serious	
16	Q. Do you know the names of any?		16	accusation against her?	
17	A. LoRusso, Mariotti, Angela Ross, Linda		17	MR. SMITH: Wait, wait. Objection.	
18	Monsariti, I don't remember her last name.		18	MR. KORAL: Why? Okay, well, he can	
19	Q. Was Ms. LoRusso eligible for early		19	answer. It's certainly not privileged.	
20	retirement?		20	MR. SMITH: Are you asking him to	
21	A. She was not.		21	speculate as to why?	
22	Q. Was Angela Ross eligible for early		22	MR. KORAL: He may know whether it was	
23	retirement?		23	serious or whether Mr. Libutti was joking. And	
24	A. Yes.		24	I don't want to explain my questions too much	
25	Q. Did she take it?		25	because it would be tipping off the witness too	
1	Gallo	175	1	Gallo	177
2	A. No, she did not.		2	much.	
3	Q. Was she fired anyway?		3	MR. SMITH: You can ask him if you ask him	
4	A. I prepared a document for her.		4	the question differently, and I won't say how.	
5	Q. You prepared a document to fire her?		5	MR. KORAL: You can make an objection and	
6	A. No.		6	if it's a bad question, the judge will	
7	Q. My question was, was she fired anyway.		7	ultimately not allow the answer. That's what	
8	A. I don't know what happened as of today,		8	objections are for.	
9	but as long as I've been in Alitalia, she was not		9	Q. But I will rephrase it and say, do you	
10	fired.		10	think Mr. Libutti was serious when he called Anna a	
11	Q. Do you know of anybody who was fired who		11	whore?	
12	Mr. Libutti asked you to fire?		12	A. I think so, yes.	
13	A. I can't recall. Mariani.		13	Q. All right. Who else got fired besides	
14	Q. Libutti asked you to fire Mariani?		14	Anna Mariani?	
15	A. Yeah.		15	A. There were other people. I don't remember	
16	Q. Did he tell you why he was asking you to		16	the name, but I can report to you the job position	
17	fire Mariani?		17	if that helps, the job that they were doing.	
18	A. Because she's a miniata.		18	Q. All right, tell me what job.	
19	Q. And what does miniata mean in English?		19	A. Was the secretary of Mr. Marchese.	
20	A. Whore.		20	Q. Marchese's secretary?	
21	Q. Okay. Was she a lesbian whore?		21	A. Right.	
22	A. I don't know. I don't think so.		22	Q. She got fired?	
23	Q. Okay. Was she an elderly whore?		23	A. Yes.	
24	A. Excuse me?		24	Q. She got fired because she was a lesbian?	
25	Q. Was she elderly?		25	A. I didn't say that.	

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Francesco Gallo

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1	Gallo	178	1	Gallo	180
2	Q. I'm asking.		2	made sure that I knew it.	
3	A. No.		3	Q. Mr. DiDomenico made sure that you knew it?	
4	Q. Did she get fired because she had a		4	A. Yes.	
5	physical disability?		5	Q. Okay. How did he do it?	
6	A. I believe that she was fired because --		6	A. Talking to Mr. Fanti, talking to	
7	Q. Answer my question.		7	Mr. Mazzucco, talking to Gabriele Mariotti, talking	
8	A. Yeah.		8	to people that --	
9	Q. Did she get fired because she had a		9	Q. So nothing really more than you have	
10	physical disability?		10	already told me?	
11	A. I don't know.		11	A. Yeah.	
12	Q. All right. And then you started to say		12	Q. Okay.	
13	you believe she was fired for what reason?		13	MR. SMITH: Okay, let's take a break.	
14	A. If I recall, primarily because she refused		14	MR. KORAL: Okay. I thought maybe we	
15	to do personal request, personal work for Libutti,		15	could finish with Mr. DiDomenico. It's just	
16	Marchese or whoever else was there.		16	one more question, because I think it's going	
17	Q. Okay. All right. At this rate, we're		17	to be a short answer.	
18	going to be at it for a month, but your initial Rule		18	MR. SMITH: Franco, are you okay?	
19	26 disclosures state that Mr. DiDomenico has		19	THE WITNESS: One more question, yeah,	
20	information about the unlawful discriminatory and		20	sure.	
21	retaliatory motivating factors of Defendants.		21	Q. It also says, "as well as Plaintiff's	
22	What information does Mr. DiDomenico have		22	defamation claim."	
23	about the defendants' motivations that were		23	What does Mr. DiDomenico know about your	
24	discriminatory or retaliatory?		24	defamation claim, anything that you haven't told me	
25	A. That Alitalia was firing me as a		25	already?	
1	Gallo	179	1	Gallo	181
2	retaliation of the allegation that I tried to stop		2	A. That Mr. Libutti was making defamation	
3	such practices.		3	comments about me all over.	
4	Q. What does Mr. DiDomenico know about it?		4	Q. What comments was he making that were	
5	A. There were many telephone conversations		5	defamatory? And if it's a long answer, we can	
6	that he had with Mr. Giulio Libutti. They were very		6	break.	
7	good friends.		7	A. No. That I was gay, and that I was not to	
8	Q. Did Mr. DiDomenico ever tell you that		8	work for Alitalia here, so Libutti, Galli, had to	
9	Mr. Giulio Libutti's motive for firing you, assuming		9	pursue the elimination of Gallo from North America.	
10	Mr. Libutti had anything to do with it --		10	Q. That's the defamatory statements that	
11	A. He didn't tell me.		11	you're talking about?	
12	Q. Let me finish. He didn't tell you that?		12	A. Yeah.	
13	A. Directly, no.		13	MR. KORAL: Let's take our break.	
14	MR. SMITH: Counsel, please ask your		14	THE VIDEOGRAPHER: The time is 3:37 p.m.	
15	question, that's fine, but after this I		15	We're going off the record.	
16	recommend we take a five-minute break to		16	(A brief recess was taken.)	
17	refresh.		17	THE VIDEOGRAPHER: The time is 3:50 p.m.	
18	MR. KORAL: Fine. The room is a little		18	We're back on the record.	
19	warm.		19	MR. KORAL: All right. I believe that	
20	Q. So Mr. DiDomenico never told you that		20	Derek Smith has a statement he needs to make.	
21	Mr. Libutti said anything about firing you in		21	MR. SMITH: Yes. I'm just going to say	
22	retaliation or for discrimination?		22	that with deference to my client's health	
23	A. To me personally?		23	condition and the fact that we have been on the	
24	Q. Mr. DiDomenico.		24	record starting a little after 10:00 today, I	
25	A. He did not have the courage to, but he		25	don't know exactly how many hours of testimony,	

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